

## REMARKS

Claim 1 has been amended here, and remains pending. Support for the amendment is found through the specification, and particularly in the following sections: page 12, 3<sup>rd</sup> and 4<sup>th</sup> complete paragraphs, page 13 2<sup>nd</sup> complete paragraph, the paragraph bridging pages 13 and 14, page 14 2<sup>nd</sup> complete paragraph to page 15 first paragraph.

Reconsideration and allowance are respectfully requested.

The Examiner has also noted that Fig. 3 should be relabeled. A new Fig. 3 is enclosed with the required changes.

Claim 1 stands rejected under 35 U.S.C. 102(b) as allegedly anticipated by JP-2001-2802. This rejection is traversed with respect to the amended claim as follows.

Applicant concurs that JP-2001-2802 discloses a brushless motor arranged within a fuel tank, and further that synthetic resin may be molded around the outer periphery of a stator (stator 16). However, JP-2001-2802 is deficient as an anticipatory reference as the same fails to disclose that the outer periphery of the drive coil, and the wire, which is exposed to the inside of the pump housing, is molded with a resin material. This in part achieves the benefits listed from page 17, last paragraph, to the end of page 18.

Furthermore, on page 4, column 5, lines 26-34 of JP-2001-2802, the reference states that:

[0018] further, a fuel discharge port 41 is formed at a left side portion of a pump casing 32 so as to communicate with fuel chamber, capacity of which is decreased by the rotation of both rotors 34, 35, and the fuel discharged from the discharge port 41 flows through a gap between the stator 16 and a magnet rotor 19, is discharged from a through hole of a shaft holder 24 (not illustrated) to a fuel discharge passage 28 and flows toward a fuel injection valve (not illustrated) through a fuel pipe (not illustrated) connected to a fuel discharge pipe 29.

According to this structure, an object of the present invention could not be achieved, because the fuel flowing within the housing 15 flows through the gap between the inner periphery of the stator 16, which is not coated, and the magnet rotor 19.

Even assuming, arguendo, this were not the case, the technical idea that generation of metal 'soap' may be prevented via electric parts comprising a wire and a drive coil coated with synthetic resin so that contact between fuel and the electric parts is disallowed is not taught nor disclosed in the reference.

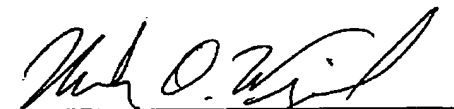
For at least the above reasons, Applicant submits that the rejection of claim 1 should be withdrawn, and the case passed to issue.

Besides the fee for a Petition for Extension of time, no additional fee is believed to be due in connection with this paper. However, if any fees are due in connection with this filing, please charge the fees to Deposit Account No. 50-1187.

Respectfully submitted,

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